

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Michael Wayne Graham and Robert Norman Rice

Serial No. : 10/759,841 Examiner: Whiteman, Brian A.

Filed : January 15, 2004 Group Art Unit: 1635

For : SYNTHETIC GENES AND GENETIC CONSTRUCTS

Mail Stop Amendment  
 COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Date: December 21, 2009

Sir:

Transmitted herewith is an amendment to the above-identified application.

\_\_\_\_\_ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

\_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

\_\_\_\_\_ No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For <sup>1</sup>	Number of Extra Claims Presented	RATE			FEE	
				Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	63 -	* 60 =	*** 3 X	\$26	\$52	=		156.00
Independent Claims	6 -	** 4 =	*** 2 X	\$110	\$220	=		440.00
Multiple Dependent Claim(s) Presented For First Time _____ Yes _____ X No				\$195	\$390	=		0.00
				TOTAL ADDITIONAL FEE \$ 596.00				

<sup>1</sup> The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.

\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

\*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

Applicant(s): Michael Wayne Graham and Robert Norman Rice

Serial No. : 10/759,841

Filed : January 15, 2004

Amendment Transmittal Letter

Page 2

The following are also enclosed:

       One additional copy of this Amendment Transmittal Letter

       Return Receipt Postcard

  X   An Information Disclosure Statement, including Form PTO-1449

(Copies of citations included: Yes        No   X  

and a fee of \$       0.00       included)

       A Petition for an Extension of Time, including a fee of  
\$                      for a Petition for        Month(s) Extension of Time

  X   Other (identify): Terminal Disclaimer

THE TOTAL FEE DUE IS \$       736.00      .

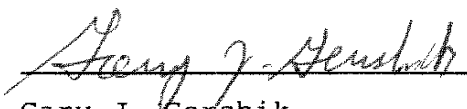
       A check in the amount of \$                      is enclosed.

  X   Please charge Deposit Account No. 03-3125 in the amount of  
\$       736.00      .

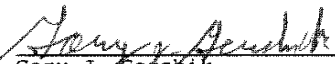
  X   The Commissioner is hereby authorized to charge any additional fees  
required or credit any overpayment to Deposit Account No. 03-3125  
as follows:

  X   Fees under 37 C.F.R. \$1.16 for the presentation of extra claims  
       Patent application processing fees under 37 C.F.R. \$1.17

Respectfully submitted,



Gary J. Gershik  
Registration No. 39,992  
Attorney for Applicants  
Cooper & Dunham LLP  
Customer No. 23432  
30 Rockefeller Plaza, 20<sup>th</sup> Fl.  
New York, New York 10112  
Tel. No. (212) 278-0400

<b>Certificate of Transmission</b>	
I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on December 21, 2009.	
 Gary J. Gershik Reg. No. 39,992	<u>12/21/09</u> Date